

ALLEGED SHIPMENT: On or about August 12, 1944, by the California Packing Corporation, Salem, Oreg.

PRODUCT: 1,988 cases, each containing 24 cans, of green beans at Toppenish, Wash.

This article was a by-product which consisted mainly of end cuts and tips of string beans.

LABEL, IN PART: "Tip Top Salad Cut Green Beans 1 lb. 3 oz. [vignette of a dish containing middle cuts of green beans]."

VIOLATION CHARGED: Misbranding, Section 403 (a), a vignette of a dish containing middle cuts of green beans, and the term "Salad Cut Green Beans," were misleading as applied to a by-product which consisted mainly of end cuts and tips of string beans.

DISPOSITION: February 5, 1945. The California Packing Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of an officer designated by the Federal Security Administrator.

8433. Misbranding of canned green beans. U. S. v. 237 Cases of Canned Green Beans. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14992. Sample No. 70087-F.)

LABEL FILED: January 13, 1945, District of Utah.

ALLEGED SHIPMENT: On or about October 23, 1944, by the Silverton Canning Co., from Silverton, Oreg.

PRODUCT: 237 cases, each containing 24 1-pound, 3 ounce cans, of green beans at Salt Lake City, Utah.

LABEL, IN PART: "Silco Brand Cut Stringless Green Beans [vignette of a dish containing middle cuts of green beans]."

VIOLATION CHARGED: Misbranding, Section 403 (a), the article was a by-product which consisted mainly of end cuts and tips of string beans.

DISPOSITION: April 17, 1945. The Utah Wholesale Grocery Co., Salt Lake City, Utah, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

8434. Adulteration of navy beans. U. S. v. 800 Bags of Navy Beans. Consent decree of condemnation. Product released under bond. (F. D. C. No. 14548. Sample No. 92362-F.)

LABEL FILED: November 28, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about October 21, 1944, by Edgars Sugar House, from Croswell, Mich.

PRODUCT: 800 100-pound bags of navy beans at Batavia, N. Y.

LABEL, IN PART: "Michigan Navy Beans."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy beans.

DISPOSITION: June 25, 1945. Cooperative G. L. F. Farm Products, Inc., Batavia, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

8435. Adulteration of pinto beans. U. S. v. 75 Bags of Pinto Beans. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13480. Sample No. 58993-F.)

LABEL FILED: On or about September 9, 1944, Western District of Virginia.

ALLEGED SHIPMENT: On or about October 26, 1943, from Limon, Colo.

PRODUCT: 75 100-pound bags of pinto beans at Danville, Va., in the possession of James I. Pritchett and Son. The article was stored under insanitary conditions after shipment. The bags had been gnawed by rodents, and rodent excreta was observed on them. Examination showed that the product contained rodent excreta.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had

been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: December 6, 1944. James I. Pritchett and Son, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation and the denaturing of the unfit portion, under the supervision of the Food and Drug Administration.

8436. Misbranding of red beans. U. S. v. 201 Cases of Red Beans. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 14996. Sample No. 85949-F.)

LIBEL FILED: February 21, 1945, District of Colorado.

ALLEGED SHIPMENT: On or about October 3, 1944, by the Otoe Food Products Co., from Nebraska City, Nebr.

PRODUCT: 201 cases, each containing 24 1-pound, 4-ounce cans, of red beans at Denver, Colo.

LABEL, IN PART: "Otoe Brand Honey Flavored Red Beans Artificial Flavor."

VIOLATION CHARGED: Misbranding, Section 403 (a), the label statements, "Honey Flavored," and "Honey flavor adds a new taste appeal," were false and misleading as applied to an article which had no flavor of honey.

DISPOSITION: March 6, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

8437. Adulteration of dried mushrooms. U. S. v. 2 Cans of Dried Mushrooms. Default decree of condemnation and destruction. (F. D. C. No. 14931. Sample No. 3889-F.)

LIBEL FILED: December 29, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about June 22, 1944, by H. Schoenfeld and Sons, from New York, N. Y.

PRODUCT: 2 cans, containing a total of approximately 80 pounds, of dried mushrooms at Seattle, Wash.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, insect fragments, rodent hairs, and rodent excreta.

DISPOSITION: April 28, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8438. Adulteration of dried mushrooms. U. S. v. 15 Cartons of Dried Mushrooms. Default decree of condemnation and destruction. (F. D. C. No. 14544. Sample No. 84515-F.)

LIBEL FILED: November 29, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about November 3, 1944, by the Russian-Polish Importing Co., from Chicago, Ill.

PRODUCT: 15 cartons, each containing 10 pounds, of dried mushrooms at San Francisco, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae and maggots.

DISPOSITION: March 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 8439 to 8441 report actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but the quality fell below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and the labels failed to bear, in the manner and form that the regulations specify, a statement that the product was below the standard.

8439. Misbranding of canned peas. U. S. v. 169 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14751. Sample No. 87773-F.)

LIBEL FILED: December 9, 1944, District of North Dakota.

ALLEGED SHIPMENT: On or about September 28, 1944, by the St. Cloud Products Association, from St. Cloud, Minn.